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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Grange Property & Casualty Company

CASE NO.: 1:24-cv-462

Plaintiff

vs.

COMPLAINT

United States of America

Defendant

Now comes the Plaintiff, Grange Property & Casualty Company (hereinafter “Grange”), as subrogee of Randal L. Moore and Renee Moore, and for its Complaint against Defendant United States of America (hereinafter “USA”) states as follows:

PARTIES AND JURISDICTION

1. At all times relevant herein, Plaintiff Grange is a corporation which is domiciled in the State of Ohio with its main place of business in Columbus, Ohio and for citizenry purposes is a citizen of the State of Ohio.
2. The United States Postal Service (USPS) is an agency of Defendant United States of America, and maintains a local Post Office at 3190 Colorado Avenue in Lorain, Ohio.
3. Defendant USA employed Christen David Cordy through the USPS. At all times material herein, Christen David Cordy was acting in the course and scope of his employment with the USPS.

4. Plaintiff's claims arise out of a motor vehicle collision that occurred on or about December 22, 2022 between a vehicle operated by Defendant USA's employee Christen David Cordy, and a vehicle operated by Plaintiff insured Renee Moore.
5. Subject matter jurisdiction over this matter against the United States for money damages is proper in this Court pursuant to 28 U.S.C. §1346(b)(1) and 28 U.S.C. §2675.
6. Venue is proper in this Court pursuant to 28 U.S.C. §1402(b) and § 1391(e)(1) because the alleged act or omission giving rise to the claims occurred in the Lorain, Lorain County, Ohio.
7. Plaintiff has met all prerequisite procedural requirements of the Federal Tort Claims Act as it has presented its claims for negligence via Form SF-95 to the United States Postal Service, and Defendant has denied said claim.

COUNT ONE

8. Plaintiff realleges and reavers each and every preceding paragraph set forth at paragraphs 1 through 7 above, as if fully rewritten herein.
9. On December 22, 2022, at approximately 2:25 P.M., Defendant USA's employee Christen David Cordy was operating a USPS mail truck exiting a business at 4800 Oberlin Avenue in Lorain, Ohio within the course and scope of his employment with the USPS and Defendant USA, and with unequivocal permission.
10. At the same time, Plaintiff insured Renee Ellen Moore was operating a 2020 Nissan Pathfinder southbound on Oberlin Avenue in the Lorain, Ohio.

11. On December 22, 2022 at approximately 2:25 p.m., Defendant USA's employee Christen David Cordy exited 4800 Oberlin Avenue and collided with Plaintiff insured Renee Ellen Moore who was traveling southbound on Oberlin Avenue in Lorain, Ohio.
12. As acting as an employee of Defendant USA, Christen David Cordy was negligent when exiting 4800 Oberlin Avenue in Lorain, Ohio in failing to yield the right-of-way to Plaintiff's insured Renee Ellen Moore and was otherwise negligent.
13. As a direct and proximate result of the collision caused by Christen David Cordy's negligence, Plaintiff insured Randal Moore's motor vehicle was damaged in the amount of \$17,986.44 and Plaintiff insured Renee Moore was injured and sustained medical payments in the amount of \$5,000.00.
14. As a result of the collision, Grange paid to, or on behalf of its insured Randal L. Moore \$17,986.44, subject to a \$500.00 deductible, and \$5,000.00 to or on behalf of its insured Renee Moore for medical expenses and became subrogated to any and all payments made to or on behalf of its insureds.

COUNT TWO

15. Plaintiff realleges and reavers each and every preceding paragraph set forth at paragraphs 1 through 14 above, as if fully rewritten herein.
16. As a motorist, Defendant's employee Christen David Cordy owed a duty of care to the public to obey all traffic laws.
17. The State of Ohio have enacted certain safety statutes, designed to protect the public, including statutes that require motorists to yield to traffic with the right of way.
18. On December 22, 2022, Defendant's employee Christen David Cordy had a statutory duty to yield the right of way to Plaintiff insured Renee Moore.

19. Defendant's employee and/or agent Christen David Cordy's violation of the foregoing safety statute constitutes negligence per se.

20. As a direct and proximate result of Defendant's employee Christen David Cordy's negligence per se, Plaintiff suffered the damages and losses as aforesaid for which Defendant is liable.

WHEREFORE, Plaintiff demands judgment against Defendant USA in the amount of \$22,986.44 plus statutory interest, plus court costs.

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